Attorney Docket No.: 14058-009811

Client Ref. No.: CX-98-0028-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cheever et al.

Application No.: Unknown

Filed: May 9, 2001

For: HER-2/NEU FUSION PROTEINS

Examiner:

Unassigned

Art Unit:

Unassigned

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

BOX PATENT APPLICATION Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/493,480, filed January 28, 2000 (Attorney Docket No. 14058-009810). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

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Applicant believes that <u>no fee is required</u> for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Annette S. Parent Reg. No. 42,058

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